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U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
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17, 2006

Thomas E. Holsten  
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Washington, DC 20004-1206**VIA FACSIMILE**

Art Unit: 1634

Examiner: J.S. Sutton  
Confirmation No. 8378

Board of Patent Appeals and Interferences  
 United States Patent and Trademark Office  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Re: U.S. Patent Application Serial No. 09/667,188 filed September 21, 2000

Inventors: Scott E. ANDERSEN et al.

Title: Nucleic Acid Molecules and Other Molecules Associated with Plants

Atty. Dkt.: 16517.293 (38-21(51464)B/US)

Sir:

Transmitted herewith for appropriate action by the Board of Patent Appeals and Interferences is a Request for Entry of Amendment filed February 13, 2006, and Express Abandonment under 37 C.F.R. § 1.138(a).

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Appellants do not believe any fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. § 1.16 or § 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docketing number 16517.293.

Sincerely,

Thomas E. Holsten (Reg. No. 46,098)  
 David R. Marsh (Reg. No. 41,408)

I hereby certify that this transmittal and the attached Request for Entry of Amendment filed February 13, 2006, and Express Abandonment under 37 C.F.R. § 1.138(a) are being facsimile transmitted to the BPAI (attention: Dianne Maggard) via facsimile number 571-273-0299.

February 17, 2006  
 Date

Attachment

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Scott E. ANDERSEN *et al.*

Appln. No.: 09/667,188

Filed: September 21, 2000

For: Nucleic Acid Molecules and Other Molecules Associated with Plants

Confirmation No.: 8378  
 Art Unit: 1634  
 Examiner: J.S. Sitton  
 Atty. Docket: 16517.293

**Request for Entry of Amendment filed February 13, 2006, and  
 Express Abandonment Under 37 C.F.R. § 1.138(a)**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Applicants respectfully request that the Amendment filed February 13, 2006, be entered and that, upon entry of that Amendment, U.S. Application Serial No. 09/667,188 be expressly abandoned under 37 C.F.R. § 1.138(a).

Applicants note that a continuation application based on the above-identified application was filed on February 13, 2006.

Should the Commissioner require additional information, he is invited to contact the undersigned at the number provided below. The undersigned is an attorney of record and therefore has authority to expressly abandon the above-captioned U.S. application.

Respectfully submitted,

Thomas E. Holsten, Reg. No. 46,098  
 David R. Marsh, Reg. No. 41,408  
 Arnold & Porter LLP  
 555 Twelfth Street, N.W.  
 Washington, DC 20004  
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Filed: February 17, 2006

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I hereby certify that this transmittal and the attached Request for Entry of Amendment filed February 13, 2006, and Express Abandonment under 37 C.F.R. § 1.138(a) are being facsimile transmitted to the BPAI (attention Dianne Maggard) via facsimile number 571-273-0299.

February 17, 2006  
 Date

**ARNOLD & PORTER LLP**202.942.5000  
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Washington, DC 20004-1206**RECEIVED**

FEB 17 2006

**Fax Transmittal**

February 17, 2006

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

RECIPIENT NAME(S)	RECIPIENT FAX NUMBER(S)	RECIPIENT TELEPHONE NUMBER(S)
Board of Patent Appeals and Interferences Attn: Dianne Maggard	(571) 273-0299	
SENDER	SENDER'S TELEPHONE NUMBER	SENDER'S ROOM NUMBER
Thomas E. Holsten	(202) 942-5085	981
CLIENT/MATTER NUMBER	TIMEKEEPER NUMBER	NUMBER OF PAGE(S)
16517.293	5230	We are transmitting 3 page(s) (including this cover sheet)
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This document must be transmitted no later than: February 17, 2006/ASAP		Alternate telephone number at which the sender can be reached if there are difficulties with this fax: (202) 942-5159
If you experience difficulty receiving this fax transmission, please contact the operator at 202.942.5837.		
MESSAGE		

Re: U.S. Patent Appln. Ser. No. 09/667,188 filed September 21, 2000  
 Title: Nucleic Acid Molecules and Other Molecules Associated with Plants  
 Inventors: Scott E. ANDERSEN *et al.*  
 Atty. Docket: 16517.293 Conf. No. 8378

Please see the attached Request for Entry of Amendment filed February 13, 2006,  
 and Express Abandonment under 37 CFR § 1.138(a) for the above-identified application.

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